

**REMARKS**

**I. INTRODUCTION**

Claim 1 has been amended. No new matter has been added. Claims 1, 3-5, 8 and 9 remain pending in the present application. In view of the above amendments and the following remarks, it is respectfully submitted that all of the pending claims are allowable.

**II. CLAIM REJECTIONS – 35 U.S.C. § 102(e)**

Claims 1, 3-5, 8 and 9 stand rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent 6,366,661 to Devillier et al. (hereinafter “Devillier”). (See 7/9/09 Office Action, pp. 2-6.)

Claim 1, as presently amended, recites “[a] method for managing an incoming call to a subscriber terminal, said terminal providing access to resources of the Public Switched Telephone Network (PSTN) and data terminal access to online resources of a packet network, the method comprising: accessing said packet network to ascertain online network status of the subscriber terminal, said accessing said packet network comprising accessing one of an IP network, an Ethernet, a LAN, and a WAN; indicating the arrival of an incoming call to the subscriber terminal during online operation of said subscriber terminal by generating a message to said subscriber terminal; according to subscriber preferences stored in a memory, selecting one of the steps of (a) forwarding the incoming call to voicemail, (b) forwarding the incoming call to a forwarding number, and (c) activating an options selection menu at said subscriber terminal to provide the subscriber with options to handle the incoming call, said options including at least one of forwarding the call to a specific number, handling the call via a VoIP service, and sending the call to voicemail; and performing the selected one of forwarding the incoming call to voicemail, forwarding the incoming call to the forwarding number, and activating the options selection menu at the subscriber terminal.”

In relevant part, claim 1 has been amended to recite “according to subscriber preferences stored in a memory, selecting one of the steps of (a) forwarding the incoming call to voicemail, (b) forwarding the incoming call to a forwarding number, and (c) activating an options selection menu at said subscriber terminal to provide the subscriber with options to handle the incoming call.”

Devillier states that when an “incoming call request is received, the SCP transmits a query to the communications server over the Internet requesting a current online status for the subscriber.” (Devillier, col. 6, ll. 19-21.) If the user is online, a display graphic is displayed to the user on the user’s PC display informing the user that an incoming call has been received. Devillier states that “[t]he display graphic is interactive in nature and a subscriber may make a selection as to how to route a particular call.” (Id., col. 5, ll. 40-49.) The switching point then carries out the subscriber’s instructions regarding how to route the call. (See id., col. 5, ll. 49-57.)

The Examiner asserts that Devillier teaches subscriber preferences stored in a memory, and that a forwarding number may be preprogrammed in the system. (See 7/9/09 Office Action, p. 6, citing Devillier, col., 3, ll. 11-12; col. 4, ll. 41-42.) However, even if this point were to be conceded, Devillier would still merely disclose the use of stored subscriber preferences in the performance of call routing, rather than in the selection of a call routing option from among a plurality of options for call routing. Specifically, the preferences stored in Devillier relate to what should happen to the call after the selection of the call routing has taken place (*e.g.*, the number to which the call should be forwarded). However, as stated above, the selection of the call routing is not based on user preferences, but is made in real time by the user of the Devillier system using the graphic display. (See Devillier, col. 5, ll. 40-57.)

Thus, it is respectfully submitted that Devillier does not disclose “*according to subscriber preferences stored in a memory, selecting one of the steps of* (a) forwarding the incoming call to voicemail, (b) forwarding the incoming call to a forwarding number, and (c) activating an options selection menu at said subscriber terminal to provide the subscriber with options to handle the incoming call,” as recited in claim 1. Accordingly, this rejection should be

withdrawn. Because claims 3-5, 8 and 9 depend from, and, therefore, include all of the limitations of claim 1, it is respectfully submitted that these claims are also allowable for at least the foregoing reasons.

**CONCLUSION**

It is therefore respectfully submitted that all of the presently pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

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